

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-26 and 29-30 are currently pending in the application. Claims 1, 10, 25-26 and 29-30 are amended; and Claims 27-28 are canceled without prejudice or disclaimer by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.¹ No new matter is presented.

In the Office Action, Claims 1, 25 and 29 are rejected under 35 U.S.C. § 103(a) as unpatentable over Gerszberg et al. (U.S. Pat. 6,178,446, herein Gerszberg) in view of Paul et al. (U.S. Pub. 203/0172108, herein Paul) and Garcia et al. (U.S. Pat. 5,510,832, hereinafter Garcia); independent Claims 10, 26 and 30 are rejected under 35 U.S.C. § 103(a) as unpatentable over Gerszberg in view of Paul; and dependent Claims 2-9 and 11-24 are rejected under 35 U.S.C. § 103(a) as unpatentable over Gerszberg in view of Paul and Garcia in combination with one or more of Maritzen et al. (U.S. Pub. 2002/0026419, herein Maritzen), Leonard et al. (U.S. Pub. 2002/046109, herein Leonard), Giuliani et al. (U.S. Pat. 5,974,399, herein Giuliani), Pocock et al. (U.S. Pat. 5,014,125, herein Pocock), Holman et al. (U.S. Pat. 5,287,181, herein Holman), Von Kohorn et al. (U.S. Pat. 5,128,752, herein Von Kohorn), and Maeda et al. (U.S. Pub. 2003/0003431, herein Maeda).

In response to the above noted rejections under 35 U.S.C. § 103(a), Applicants respectfully submit that amended independent Claims 1, 10, 25-26 and 29-30 recite novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1, for example, recites an information processing apparatus comprising:

a transmitter configured to transmit request information continuously at a particular interval, the request information requesting related information

¹ e.g., specification at Fig. 8-9 and pp. 36-37.

related to a content in a broadcast program being received and *including at least one of a title or an author of the content*,
a receiver configured to receive the related information *corresponding to the request information ...*

Independent Claims 10, 25, 26, 29 and 30, while directed to alternative embodiments, are amended to recite similar features. Accordingly, the remarks and arguments presented below are applicable to each of amended independent Claims 1, 10, 25, 26, 29 and 30.

In rejecting the claimed features directed to transmitting the request information, the Office Action relies on the Abstract and col. 8, 1. 59 – col. 9, 1. 9 of Gerszberg.

As described in the Abstract, Gerszberg's system allows a subscriber of a service to order or request additional information on products that are being advertised. The subscriber, upon viewing a commercial on a display terminal, can click on the advertisement to alert the advertiser that the customer is interested in the item being advertised.

Gerszberg, however, fails to teach or suggest transmitting a request for additional information, which includes "*at least one of a title or an author of the content*", as recited in amended independent Claim 1.

Instead, as described at col., 1. 59 – col. 9, 1. 27 of Gerszberg, if a subscriber is watching a commercial for product and wants to receive more information about the product, the subscriber selects the commercial using an actuation means, which sends signals to the set top device so as to create a subscriber request with respect to the commercial being displayed. Once a subscriber request has been created, the request is transmitted to the communication server 226 through the telephone network. The communication server 226 then decodes the subscriber request message to determine the subscriber's identity, the channel number that the subscriber was watching, a time at which the subscriber request was initiated, and a message type indicating an identity of the subscriber request. Once the message has been decoded, the processor in the communication server 226 then queries the database in its memory to determine the identity of the advertisement that was broadcasted by comparing the channel

number and the time at which the advertisement was broadcasted with the channel number and time stored in the database in the memory of the communication server.

Thus, as noted above, the request for addition information in Gerszberg includes only the channel number that the subscriber was watching, and a time at which the subscriber request was initiated as parameters used to retrieve additional information at the communication server 226. Gerszberg, therefore, fails to teach or suggest transmitting a request for additional information, which includes “*at least one of a title or an author of the content*”, as recited in amended independent Claim 1.

Further, Paul and Garcia are relied upon only to reject features directed to transmitting request information at a particular interval and storing and displaying the related information, and fail to remedy the above noted deficiencies of Gerszberg.

Accordingly, for at least the reasons discussed above, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 103 be withdrawn. For substantially similar reasons it is also submitted that independent Claims 10, 25, 26, 29 and 30 patentably define over Gerszberg, Paul and Garcia.

Regarding the rejection of Claims 2-9 and 11-24 under 35 U.S.C. § 103(a) as unpatentable over Gerszberg in view of Paul and Garcia in combination with one of Maritzen, Leonard, Giuliani, Pocock, Holman, Von Kohorn, and Maeda, Applicants note that Claims 2-9 and 11-24 ultimately depend from independent Claims 1 and 10, and are believed to be patentable for at least the reasons discussed above. Further, Applicants respectfully submit that none of the applied tertiary references cure the above noted deficiencies of Gerszberg, Paul and Garcia.

Accordingly, Applicants respectfully request that the rejection of Claims 2-9 and 11-24 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-27 and 29-30 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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